TAXABLE YEAR | CALIFORNIA FORM

2009 Trust Accumulation of Charitable Amounts 541-A

For calendar years only.

Name of trust | FEIN

Name of trustee(s)

Address (number and street, suite, PO Box, or PMB no.)

City | State | ZIP Code

This return must be filed on or before April 15, 2010. Mail to:

FRANCHISE TAX BOARD
PO BOX 942840
SACRAMENTO CA 94240-0002

DO NOT ATTACH TO FORM 541

(If more space is needed, please attach a separate list.)

ANSWER THESE QUESTIONS:

1 Date trust was created ● m m d d y y y y

2 Were any of the trustees residents of California during any portion of the taxable year? ☐ Yes ☐ No

3 Was the grantor or settlor of the trust a resident of California during the taxable year of the trust? ☐ Yes ☐ No

4 Name and address of grantor or settlor _____

5 Have you filed a return on Form 541 for the year covered by this return? ☐ Yes ☐ No

6 Do any of the amounts shown on the face of this return differ from the corresponding amounts reported on federal Form 1041-A? ☐ Yes (attach a schedule explaining the differences) ☐ No

7 Are you required to file federal Form 990-T for the unrelated business and/or lease indebtedness income? ☐ Yes ☐ No

Part I Income and Deductions. See instructions for Form 541. If total income is $25,000 or less, skip line 1 through line 8 and enter total income on line 9.

Income	1	Interest income	1	00
	2	Dividends	2	00
	3	Business income or (loss). Attach federal Schedule C or C-EZ (Form 1040) ●	3	00
	4	Capital gain or (loss). Attach Schedule D (541) ●	4	00
	5	Rents, royalties, partnerships, other estates and trusts, etc. Attach federal Schedule E (Form 1040) ●	5	00
	6	Farm income or (loss). Attach federal Schedule F (Form 1040) ●	6	00
	7	Ordinary gain or (loss). Attach Schedule D-1 ●	7	00
	8	Other income. State nature of income ▶ _____ ●	8	00
	9	**Total income.** Add line 1 through line 8 ●	9	00
Deductions	10	Interest	10	00
	11	Taxes	11	00
	12	Charitable deduction. Itemize by charitable purpose; include payee's name and address. See instructions for Part II and Part III ●	12	00
	13	Trustee fees ●	13	00
	14	Attorney, accountant, and return preparer fees ●	14	00
	15	Other deductions. Attach schedule ●	15	00

Part II Distributions of Income Set Aside in Prior Taxable Years for Charitable Purposes. See instructions.

16	Accumulated income set aside in prior taxable years for which a deduction was claimed under IRC Section 642(c) ●	16		00
17	Income set aside in prior taxable years for which a deduction was claimed under IRC Section 642(c) and which was distributed during the current taxable year. Itemize by charitable purpose; include payee's name and address.			
	a _____	17a		00
	b _____	17b		00
	c _____	17c		00
18	Total. Add line 17a through line 17c ●	18		00
19	Balance. Subtract line 18 from line 16	19		00
20	Income set aside during the current taxable year for which a deduction was claimed under IRC Section 642(c) (included in Part I, line 12)	20		00
21	Carryover. Add line 19 and line 20 ●	21		00

Part III Distributions of Principal for Charitable Purposes

22	Principal distributed in prior taxable years for charitable purposes ●	22		00
23	Principal distributed during the current taxable year for charitable purposes. Itemize by charitable purpose; include payee's name and address.			
	a _____	23a		00
	b _____	23b		00
	c _____	23c		00
24	Total. Add line 23a through line 23c ●	24		00

Part IV **Balance Sheet**. If line 9 is $25,000 or less, complete only line 38, line 42, and line 45. If books of account do not agree, please reconcile all differences.

				(a) Beginning-of-Year Book Value	(b) End-of-Year Book Value
	Assets				
25	Cash — non-interest bearing		25		
26	Savings and temporary cash investments		26		
27 a	Accounts receivable	27a			
b	Less: allowance for doubtful accounts	27b			
28 a	Notes and loans receivable	28a			
b	Less: allowance for doubtful accounts	28b			
29	Inventories for sale or use		29		
30	Prepaid expenses and deferred charges		30		
31	Investments — U.S. and state government obligations. Attach schedule		31		
32	Investments — corporate stock. Attach schedule		32		
33	Investments — corporate bonds. Attach schedule		33		
34 a	Investments — land, buildings, and equipment: basis	34a			
b	Less: accumulated depreciation	34b			
35	Investments — other. Attach schedule		35		
36 a	Land, buildings, and equipment (trade or business): basis	36a			
b	Less: accumulated depreciation	36b			
37	Other assets. Describe. ▶		37		
38	**Total assets**. Add line 25 through line 37 (Must equal line 46)		38	●	●
	Liabilities				
39	Accounts payable and accrued expenses		39		
40	Mortgages and other notes payable. Attach schedule		40		
41	Other liabilities. Describe. ▶		41		
42	**Total liabilities.** Add line 39 through line 41		42		
	Net Assets				
43	Trust principal or corpus		43	●	●
44	Undistributed income and profits		44	●	●
45	Total net assets. Add line 43 and line 44		45		
46	**Total liabilities and net assets**. Add line 42 and line 45		46		

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

▶ Signature of trustee or officer representing trustee | Date | ● Trustee's SSN/FEIN

Paid Preparer's Use Only

Preparer's signature ▶ | Date | Check if self-employed ▶ ☐ | ● Paid preparer's SSN/PTIN

Firm's name (or yours, if self-employed) and address ▶ | ● FEIN

May the FTB discuss this return with the preparer shown above (see instructions)? ● ☐ Yes ☐ No

Instructions for Form 541-A

Trust Accumulation of Charitable Amounts

References in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 2005**, and to the California Revenue and Taxation Code (R&TC).

General Information

In general, California law conforms to the Internal Revenue Code (IRC) as of January 2005. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information, go to **ftb.ca.gov** and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

The instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the tax booklets. Taxpayers should not consider the tax booklets as authoritative law.

A Purpose

Use Form 541-A, Trust Accumulation of Charitable Amounts, to report a charitable or other deduction under IRC Section 642(c).

Split-interest trusts described in IRC Section 4947(a)(2) no longer have to file Form 541-A. Form 541-B, Charitable Remainder and Pooled Income Trusts, meets the RTC Section 18635 filing requirements for split-interest trusts. For more information, go to **ftb.ca.gov**, and search for **541-B instructions**.

B Who Must File

A trustee must file a calendar year Form 541-A for a trust that claims a charitable or other deduction under IRC Section 642(c). **Do not** file Form 541-A if the following exceptions apply:

- The trustee is required by the terms of the governing instrument and applicable local law to currently distribute all of the income.
- The trust is a charitable trust described in IRC Section 4947(a)(1).
- The trust is a split-interest trust described in IRC Section 4947(a)(2).

A charitable trust is a trust which:

- Is not exempt from taxation under R&TC Section 23701d.
- Has all the unexpired interests devoted to charitable purposes described in IRC Section 170(c).
- Had a charitable contribution deduction allowed for all the unexpired interests under the R&TC.

A split-interest trust is a trust which:

- Is not exempt from taxation under R&TC Section 23701d.
- Has some of the unexpired interests devoted to one or more charitable purposes as described in IRC Section 170(c).
- Has amounts in trust for which a charitable contributions deduction was allowed under the R&TC. Pooled income funds, IRC Section 642(c)(5); charitable remainder annuity trusts, IRC Section 664(d)(1); and remainder unitrusts, IRC Section 664(d)(2) are split-interest trusts.

Simple trusts which received a letter from the Franchise Tax Board (FTB) granting exemption from tax under R&TC Section 23701d are considered to be corporations for tax purposes. The trust may be required to file Form 199, California Exempt Organization Annual Information Return.

Nonexempt charitable trusts, described in IRC Section 4947(a)(1), must file Form 199.

C When to File

File Form 541-A on or before April 15, 2010. If you need additional time to file, California grants an automatic six-month extension. If the tax return is filed by October 15, 2010, the extension will apply. Get form FTB 3563, Payment for Automatic Extension for Fiduciaries.

D Where to File

Mail Form 541-A to:

FRANCHISE TAX BOARD
PO BOX 942840
SACRAMENTO CA 94240-0002

E Internet Access

You can download, view, and print California tax forms and publications at **ftb.ca.gov**.

F Signatures

The fiduciary or officer representing the fiduciary must sign Form 541-A. Any person preparing the fiduciary's return for compensation, who is not a regular full-time employee of the fiduciary, must also sign Form 541-A.

Third Party Designee

If the fiduciary wants to allow the FTB to discuss its 2009 return with the paid preparer who signed it, check the "Yes" box in the signature area of the return. This authorization applies only to the individual whose signature appears in the "Paid Preparer's Use Only" section of the return. It does not apply to the firm, if any, shown in that section.

If the "Yes" box is checked, the fiduciary is authorizing the FTB to call the paid preparer to answer any questions that may arise during the processing of its return. The fiduciary is also authorizing the paid preparer to:

- Give the FTB any information that is missing from the return.
- Call the FTB for information about the processing of the return or the status of any related refund or payments.
- Respond to certain FTB notices about math errors, offsets, and return preparation.

The fiduciary is not authorizing the paid preparer to receive any refund check, bind the trust to anything (including any additional tax liability), or otherwise represent the trust before the FTB.

The authorization will automatically end no later than the due date (without regard to extensions) for filing the trust's 2010 tax return. If the trust wants to expand the paid preparer's authorization, get form FTB 3520, Power of Attorney Declaration for the Franchise Tax Board. If the trust wants to revoke the authorization before it ends, notify the FTB in writing or call 800.852.5711.

Specific Instructions

Round Cents to Dollars – Round cents to the nearest whole dollar. For example, round $50.50 up to $51 or round $25.49 down to $25. If you do not round, the FTB will disregard the cents.

Private Mail Box

Include the Private Mail Box (PMB) in the address field. Write the "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Part II and Part III

Attach a statement describing in detail the purpose for which charitable disbursements were made from income set aside in prior taxable years and amounts which were paid out of principal for charitable purposes.

Examples of appropriate descriptions are:

- Payments for nursing service.
- Laboratory construction.
- Fellowships.
- Assistance to indigent families (not simply charitable, educational, religious, or scientific).

Part IV

If the balance sheet does not agree with the books of account, all differences must be reconciled in an attached statement.